

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MAJD AL-SHARA,)
v.)
Plaintiff,) Case No. 11-cv-14954
v.)
) Paul D. Borman
BLITZ U.S.A., INC., et al.;) United States District Judge
Defendants.)

NOTICE OF DISMISSAL WITHOUT PREJUDICE OF DEFENDANTS BLITZ U.S.A., INC., LAM 2011 HOLDINGS, LLC, KINDERHOOK INDUSTRIES, LLC, KINDERHOOK CAPITAL FUND II, L.P., BLITZ ACQUISITION HOLDINGS, INC., BLITZ ACQUISITION, LLC, BLITZ RE HOLDINGS, LLC AND F3 BRANDS, LLC

COMES NOW Plaintiff by and through his attorney of record and, pursuant to Fed. R. Civ. P. 41, voluntarily dismiss this action as against only the following parties:

Blitz U.S.A., Inc.
LAM 2011 Holdings, LLC, f/k/a/Blitz Holdings, LLC
Kinderhook Industries, LLC
Kinderhook Capital Fund II, L.P.
Blitz Acquisition Holdings, Inc.
Blitz Acquisition, LLC
Blitz RE Holdings, LLC
F3 Brands, LLC

These parties are being dismissed due to the November 9, 2011 filing by 6 of these 8 affiliated entities of petitions for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C §§ 101-1532, *et seq.* (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of Delaware. Section 362 of the Bankruptcy Code provides for an automatic stay of the commencement of litigation against these entities providing, in part, that “the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or

other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under [chapter 11], or to recover a claim against the debtor that arose before the commencement of the case under [chapter]” and “any act to collect, assess, or recover a claim against the debtor that arose before the commencement of the [bankruptcy] case...” 11 U.S.C. §§ 362(a)(1) & (6). This is a voluntary dismissal of only these parties and is without prejudice to seeking leave to add them as defendants in the event the bankruptcy stay is lifted.

CERTIFICATE OF SERVICE

This acknowledges that the above-entitled document was E-filed with the Court

/s/ RAMONA C. HOWARD
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